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December 5, 2007

Via ECF and Overnight Mail

Honorable Deborah A. Batts
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street, Room 2510
New York, New York 10007-1312

Re: Par Plumbing Co. Inc. v. William Johnston, et al
Docket No.: 07-CV-9722

Dear Judge Batts:

As your files should reflect, the undersigned represents the defendants in the above-referenced matter. Please accept this correspondence as defendants Request for an Extension to Answer or Otherwise Plead as it relates to the above-referenced matter. Defendant requests that this extension be granted until Friday, January 4, 2008 so as to file said pleadings

The reason behind this extension stems from the fact that the instant Complaint raises significant and complex Sherman Antitrust Act allegations. While Plaintiffs filed a similar case previously in case no. 06-Civ-13581 (RJH), this firm did not represent defendants in that prior matter and is in the process of attempting to secure prior counsels file as it relates to the handling of that case.

Please also note that I attempted to contact opposing counsel, Raymond G. McGuire, Esq. on Tuesday, December 4, 2007 as it relates to this request. As of the dictation of this correspondence, Mr. McGuire has yet to respond to my inquiry.

A proposed form of order is attached hereto for your consideration.

Thanking you in advance for your anticipated cooperation in this matter, I remain,

Very truly yours,
ROTH HOROWITZ, LLC

Steven B. Horowitz, Esq.
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SBH/ll

Enclosure

cc: Raymond G. McGuire, Esq. (Via fax and ECF)
William Johnston, III (Via Fax only)